

**In The Matter Of:**  
*Bongo Productions, LLC, et al. vs.*  
*Carter Lawrence, et al.*

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*Shayne Taylor, M.D.*  
*December 22, 2021*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BONGO PRODUCTIONS, LLC, ROBERT )  
BERNSTEIN, SANCTUARY PERFORMING )  
ARTS LLC, and KYE SAYERS, )  
Plaintiffs, )  
VS. ) NO. 3:32-cv-00490  
CARTER LAWRENCE, Tennessee State )  
Fire Marshal, in his official )  
capacity, CHRISTOPHER BAINBRIDGE, )  
Director of Codes Enforcement, in )  
his official capacity, GLENN R. )  
FUNK, District Attorney General for )  
the 20th Judicial District, in his )  
official capacity, and NEAL )  
PINKSTON, District Attorney General )  
for 11th Judicial District, in his )  
official capacity, )  
Defendants. )

WEB CONFERENCE/REMOTE DEPOSITION OF

SHAYNE TAYLOR, M.D.

December 22, 2021

LYNETTE L. MUELLER, LCR, RDR, CRR, FAPR  
LCR No. 351

Omega Reporting  
901.827.8671

1                   The web conference/remote deposition of  
2   SHAYNE TAYLOR, M.D. is taken on December 22, 2021, on  
3   behalf of the Defendants, pursuant to notice and  
4   consent of counsel, beginning at approximately  
5   11:00 a.m.

6                   This web conference/remote deposition is  
7   taken pursuant to the terms and provisions of the  
8   Federal Rules of Civil Procedure.

9                   The right to read and sign was requested.

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## 1 A P P E A R A N C E S

2 \*\*ALL PARTIES APPEARING VIA ZOOM WEB CONFERENCE\*\*

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1 SHAYNE TAYLOR, M.D.,  
2 having been first duly sworn, was examined and  
3 testified as follows:

## EXAMINATION

5 BY MR. RIEGER:

6 Q. Hi, Dr. Taylor. Thanks for -- thanks for  
7 sitting down with us to have this deposition right  
8 before the holidays. We do appreciate it.

9                   My name is Alex Rieger, and I am with the  
10                  Attorney General's office. And I am lead counsel for  
11                  the Defendants in this case.

12 For the record, could I get you to  
13 introduce yourself and spell your last name for the  
14 record.

15 A. Sure. My name is Dr. Shayne Taylor. My last  
16 name is Taylor. T, as in Tom, A-Y-L-O-R.

17 O. All right. Well, thank you.

18 So in order to ensure that the deposition  
19 goes as smoothly as possible, I like to start with some  
20 rules of the road. So I know, from your preliminary  
21 statement in your expert report, that you have given a  
22 deposition before; is that correct?

23 A. Just one. Yes.

24 Q. Okay. And what was the -- what was your role  
25 in that case? Were you an expert witness in that case?

1 Q. Okay. Is there anything else you do to stay  
2 current on medical research and literature as described  
3 in paragraph 9?

4 A. That's generally most of what I do.

5 Q. Okay.

6 A. The occasional just literature search to make  
7 sure I'm not missing anything big.

8 Q. Okay. All right.

9 Paragraph No. 14, when you say "sex" in  
10 that paragraph, what are you referring to? Are you  
11 referring to biological sex?

12 MS. PICASSO: Object to form.

13 But go ahead and answer, Dr. Taylor.

14 A. I'm describing the sex as assigned at birth by  
15 the visual appearance of an infant's genitals, external  
16 genitals.

17 Q. Is the concept of sex assigned at birth  
18 different from the concept of biological sex?

19 MS. PICASSO: Object to form.

20 But go ahead and answer, Dr. Taylor.

21 A. I think the intention of both of those terms  
22 is the same. I think the difference in the language is  
23 just a bit more nuanced.

24 Q. Can you describe the nuance for me.

25 A. I think "biological sex" can mean any number

1 just in general.

2 A. I think -- I think both. I think it's  
3 problematic for the person who is faced with the  
4 decision to go to the bathroom and being faced with  
5 this sign. I think it's also a larger scale as being a  
6 member of a community whose state legislature feels  
7 that it's appropriate to put up that sign.

8 Q. Okay. Now, is it possible that someone who  
9 has gender dysphoria could see the sign that's proposed  
10 by the challenged law and not think -- not risk  
11 worsening their gender dysphoria or having any -- or  
12 not thinking that it's dangerous and distressing?

13 A. Sure. That's certainly possible.

14 Q. So is there any way to know in advance who  
15 would have that issue of thinking the sign is dangerous  
16 and distressing and -- you know, someone with gender  
17 dysphoria, is there any way to tell whether or not, in  
18 advance of them seeing the sign, that seeing that sign  
19 would worsen their gender dysphoria or be dangerous or  
20 distressing to them?

21 A. No, not that I'm aware of.

22 Q. Okay. Would it just be in -- you know, does  
23 it depend on what they think it represents? What  
24 someone with gender dysphoria, if they saw the sign, is  
25 the harm that you described, that it's dangerous and

1 distressing and runs the risk of worsening gender  
2 dysphoria, is that based upon their perception of what  
3 the sign and use of the term "biological sex"  
4 represents?

5 A. Again, I think that that's part of it, for  
6 sure.

7 Q. Okay. And the other part being the sort of  
8 penumbral societal issue that you've talked about; is  
9 that right?

10 A. Yeah.

11 Q. Okay. Are there any other -- are there any  
12 other facets of harm besides that, you know, person by  
13 person, you know, it's dangerous, distressing,  
14 worsening gender dysphoria, and the societal aspect,  
15 are there any other facets of harm that you think would  
16 be caused by the sign referenced in the challenged law?

17 A. I'm sure --

18 MS. PICASSO: Object to form.

19 But go ahead and answer, Dr. Taylor.

20 A. I'm sure there are plenty. And if -- you  
21 know, given time, I could maybe think of others. But  
22 those are the overarching ones that I'm seeing right  
23 now.

24 Q. Okay. Have you had any -- without going into  
25 patient identity, without broaching any sort of

1 confidentiality, have you had a patient who has -- who  
2 has had worsening gender dysphoria for seeing the  
3 term or having the term said to them "biological sex"?

4 A. No, not specifically that --

5 Q. Okay.

6 A. Nobody has come to my office and said, "I read  
7 this term and that made my dysphoria worse."

8 Q. Okay. Are there common -- this is -- I'm not  
9 a doctor. I'm a lawyer. So forgive me if this is --  
10 this is imprecise or a problem. Feel free to correct  
11 me.

12 Are there common triggers for worsening  
13 gender dysphoria that are common in your practice?

14 A. Yes.

15 Q. What are those?

16 A. There are many upon many upon many. But one  
17 of them could be discrimination that patients are  
18 facing in their communities or at their schools or in  
19 their families. You know, they can be -- I mean, there  
20 are countless reasons why people come to me or reasons  
21 to tell me that their dysphoria is worsening.

22 For fear -- like, in my young -- my young  
23 patients, fear that they will no longer be able to  
24 legally access hormonal treatment; that that could  
25 potentially be taken away from them. They lose

1 insurance. They can potentially lose access to their  
2 treatment.

3 There are many things that -- I mean,  
4 hundreds -- of why somebody would come to my office and  
5 be feeling more dysphoric than prior.

6 Q. But in your opinion, in your years of  
7 practice, the term "biological sex" isn't one of those  
8 common triggers for worsening gender dysphoria?

9 A. No. That has not been something that somebody  
10 has come to my office and complained about  
11 specifically.

12 Q. Okay. Okay.

13 MR. RIEGER: Well, that will do it for me. I  
14 believe that your counsel wants to take a break and  
15 then ask you a couple more questions. I can't promise  
16 that I'm done. Because, you know, I may, depending on  
17 the cross, have one or two.

18 But I'm ready to take that break, Malita,  
19 if you are to go from there.

20 MS. PICASSO: Yeah. Is there any way I could  
21 just have like a ten-minute break? I just have to run  
22 to the restroom. Is that all right?

23 MR. RIEGER: Of course.

24 MS. PICASSO: All right. Cool.

25 MR. RIEGER: Thank you, Dr. Taylor, for

**AMENDMENT SHEET**

I, the undersigned, SHAYNE TAYLOR, M.D., do hereby certify that I have read the foregoing deposition in the case of BONGO PRODUCTIONS vs. CARTER LAWRENCE and that, to the best of my knowledge, said deposition is true and accurate with the exception of the following corrections listed below:

**PAGE/LINE/REASON**

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22 Date \_\_\_\_\_ Signature of Witness \_\_\_\_\_  
23 Sworn to and Subscribed before me, \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
24  
25 Notary Public \_\_\_\_\_ My Commission Expires \_\_\_\_\_

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## 1                   REPORTER'S CERTIFICATE

2                   STATE OF TENNESSEE    )

3                   COUNTY OF SHELBY      )

4

5                   I, LYNETTE L. MUELLER, LCR #351, RDR, CRR,  
6                   FAPR, and Notary Public for the State of Tennessee, do  
7                   hereby certify that the above transcript of proceedings  
8                   was reported by me and that the foregoing transcript,  
9                   consisting of Pages 1-115, at the time and place set  
10                  forth in the caption thereof, were stenographically  
11                  reported by me; constitute a true and correct  
12                  transcript of said proceedings to the best of my  
13                  knowledge, skills, and ability.

9

10                  I FURTHER CERTIFY that I am not related to  
11                  any of the parties named herein, nor their counsel, and  
12                  have no interest, financial or otherwise, in the  
13                  outcome or events of this action.

12

13                  I FURTHER CERTIFY that I am duly licensed  
14                  by the Tennessee Board of Court Reporting as a Licensed  
15                  Court Reporter as evidenced by the LCR number and  
16                  expiration date following my name below.

14

15                  I FURTHER CERTIFY that the right to read  
16                  and sign was requested.

16

17                  IN WITNESS WHEREOF, I have hereunto affixed  
18                  my official signature and seal of office on 6th of  
19                  January, 2022.



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LYNETTE L. MUELLER, LCR, RDR, CRR, FAPR  
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